

**LUMPKIN COUNTY
BOARD OF COMMISSIONERS
AGENDA**

Dahlonega City Hall
465 Riley Road
Dahlonega, Georgia
November 17, 2005
6:00 P.M.

I. CALL TO ORDER

Chairman Gooch

II. INVOCATION

Reverend Paul Roberts
Saint Elizabeth Episcopal Church

III. APPROVAL OF AGENDA

IV. PROCLAMATION

- American Indian Tribe Artist S. Denise Housley

V. OLD BUSINESS

- Mountain Brook Academy (aka Hidden Lake Academy)

VI. APPROVAL OF MINUTES

- October 21, 2005 Regular Meeting
- October 26, 2005 Called Meeting
- November 1, 2005 Called Meeting
- November 7, 2005 Called Meeting

VII. REPORTS

- Department Heads
- Elected Officials

VIII. RESOLUTIONS

- 2005-70 Adopt the Roads of Mill Creek Station Subdivision
- 2005-71 Adopt the Roads of Blue Ridge Overlook Subdivision
- 2005-72 Amending Budget for Fiscal Year 2005
- 2005-73 Surplus Property – Computers and Electronic Equipment
- 2005-74 Creating the Lumpkin County Development Impact Fee Advisory Committee

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IX. CONTRACTS

- ACCG 457 Deferred Compensation Plan for Employees - Amendment
- Association County Commissioners of Georgia-Interlocal Risk Management Agency (ACCG-IRMA)-Property and Liability Insurance Coverage
- Challenger Sports – 2006 British Soccer Camp Agreement
- Council of Juvenile Court Judges of Georgia-Purchase of Services for Juvenile Offenders Program
- Secretary of State of the State of Georgia – First Amendment to the Intergovernmental Agreement
- Georgia Environmental Facilities Authority – Grant Extension Recycling & Waste Reduction Grant 2002-RWR-22

X. OTHER ITEMS

- Lumpkin County Hospital Authority – September 2005 Cases for Review/Approval
- Meeting time, date and location for 2006 BOC Meetings and Work Sessions

XI. COMMENTS

- COUNTY MANAGER
- CHAIRMAN
- COMMISSIONERS
- COUNTY ATTORNEY
- PUBLIC

XII. ANNOUNCEMENTS

Future Board Meetings:

Board Work Session – City Hall
Board Meeting – City Hall
Board Work Session – City Hall
Board Meeting – City Hall

Dec. 1, 2005 at 9:00 a.m.
Dec. 15, 2005 at 9:00 a.m.
Jan. 5, 2006 at 9:00 a.m.
Jan. 19, 2005 at 6:00 p.m.

XIII. ADJOURN

Chairman Gooch

MINUTES OF THE REGULAR MONTHLY MEETING OF THE LUMPKIN COUNTY BOARD OF COMMISSONERS

November 17, 2005

CALL TO ORDER

The meeting was called to order by Chairman Gooch at 6:05 p.m. Commissioners present were Stephen Gooch, John Raber, Deborah Hutcheson, Clarence Stowers, and Marvin Martin. The Reverend Frank Colladay opened the meeting with prayer. Chairman Gooch requested that everyone stand and asked Commissioner Martin to lead the group in the Pledge of Allegiance.

APPROVAL OF AGENDA

A motion was made by John Raber to amend the agenda to include chain of command and who has power to make decisions. This motion was seconded by Marvin Martin and approved by all district commissioners present.

Clarence Stowers made a motion to adopt the agenda as amended. This motion was seconded by Deborah Hutcheson and approved by all district commissioners present.

PROCLAMATION

Chairman Gooch read a Proclamation Recognizing Sharon Denise Davis Housley for her dedication and for her contribution to the Cherokee heritage to ensure the Native American Art is not forgotten through her creative paints and creative writing. President Bush has proclaimed the Month of November as National American Indian Heritage Month. The Natural Resources Conservation Service, a division of the United States Department of Agriculture, as part of this celebration an American Indian Tribe artist is chosen each year to develop a poster. This year's poster, entitled "A Native American Journey Through Time: The Trust and the Stewardship", was designed by Ms. Housley of the Georgia Tribe Eastern Cherokee of Lumpkin County.

OLD BUSINESS

Mountain Brook Academy

Development Authority of Lumpkin County Director Bruce Abraham read the recommendation from the Development Authority regarding the tax abatement requested by Mountain Brook Academy. Commissioner Raber asked the County Attorney for clarification of who can issue tax abatement.

Commissioner Stowers read a motion to endorse and support the intent of the proposed resolution of the Development Authority of Lumpkin County, and requested that the Authority include the following points in its memorandum of understanding:

- a. Negotiations on the dedication of land for a future fire station to be built on the Academy property.
- b. Negotiations on the final water service solution.
- c. Compliance with the land use ordinance requirements.
- d. Negotiations on job creation (as outlined in public meetings.)
- e. Negotiations on economic impact (as outlined in public meetings.)
- f. "Claw Back" provisions in the event the project is not completed in accordance with the negotiated terms of agreement.
- g. "Bond for Title" or equivalent Industrial Development Bond financing satisfactory to support the desired tax incentives.

- h. Tax incentives providing for the payment of taxes at the present rate for three years, with taxes thereafter to "ratchet up" at the rate of 20% each year thereafter for five years until the full 100% tax is being paid on the property and its improvements by year seven, beginning with the tax year 2006, so that full taxes are being paid by tax year 2013.
- i. Provision for the negotiated agreement to be presented to the Board of Commissioners at the work session at 9:00 a.m. on December 1, 2005, for final review, with approval at the December Commissioners' meeting or at a special called meeting if time demands.

Deborah Hutcheson seconded this motion for discussion. Discussion followed by the Board of Commissioners, County Attorney and the Mike Cottrell, Chairman of the Development Authority of Lumpkin County.

Clarence Stowers made a motion to amend section h. of the amendment to read. "h. Negotiations for tax incentives providing for the payment of taxes at the present rate for three years, with taxes thereafter to "ratchet up" at the rate of 20% each year thereafter for five years until the full 100% tax is being paid on the property and its improvements by year seven, beginning with the tax year 2006, so that full taxes are being paid by tax year 2013". This motion was seconded by John Raber and approved by Commissioners Raber, Hutcheson and Stowers. Commissioner Martin did not approve.

Clarence Stowers made a motion to approve the motion to endorse and support the intent of the proposed resolution of the Development Authority of Lumpkin County with the amendment to section h. This motion was seconded by John Raber and approved by Commissioners Raber, Hutcheson and Stowers. Commissioner Martin did not approve.

Chairman Gooch called for a break from 6:45 p.m. to 6:50 p.m.

APPROVAL OF MINUTES

John Raber made a motion to approve the minutes of the October 21, 2005 regular meeting. This motion was seconded by Clarence Stowers and approved by all district commissioners present.

John Raber made a motion to approve the minutes of the October 26, 2005 special called meeting. This motion was seconded by Deborah Hutcheson and approved by all district commissioners present.

John Raber made a motion to approve the minutes of the November 1, 2005 special called meeting. This motion was seconded by Deborah Hutcheson and approved by all district commissioners present.

John Raber made a motion to approve the minutes of the November 7, 2005 special called meeting. This motion was seconded by Clarence Stowers and approved by all district commissioners present.

REPORTS

Reports were presented by Department Heads and are on file in the Board of Commissioners Office.

RESOLUTIONS

RESOLUTION 2005-70

Chairman Gooch read a resolution to adopt the roads of Mill Creek Station Subdivision. The following roads were adopted into the county road system: Mill Creek Cove, Pine Tree Drive, Pine Tree Court, and Oak Ridge Drive.

John Raber made a motion to approve this resolution. The motion was seconded by Clarence Stowers and approved by all district commissioners present.

RESOLUTION 2005-71

Chairman Gooch read a resolution to adopt the roads of Blue Ridge Overlook Subdivision. The following roads were adopted into the county road system: Blue Ridge Overlook Drive, High Ridge Lane, and Will Ridge Lane.

John Raber made a motion to approve this resolution. The motion was seconded by Clarence Stowers and approved by all district commissioners present.

RESOLUTION 2005-72

Chairman Gooch read a resolution amending the Lumpkin County Budget for fiscal year 2005.

John Raber made a motion to approve this resolution. The motion was seconded by Marvin Martin and approved by all district commissioners present.

RESOLUTION 2005-73

Chairman Gooch read a resolution to declare certain items of county property surplus and without significant economic value. The governing authority of Lumpkin County has surveyed and evaluated a certain lot of sub-optimal and obsolete electronic equipment and determined that the equipment as set out on Exhibit "A" is surplus to the needs of Lumpkin County. An "Electronic Recycling Event" to accept at no cost all such equipment is being sponsored by Atlanta Recycling Solutions and to be held at the Lumpkin County High School on November 19, 2005. The governing authority desires that all equipment set out on the Exhibit be turned in for recycling.

John Raber made a motion to approve this resolution. The motion was seconded by Deborah Hutcheson and approved by all district commissioners present.

RESOLUTION 2005-74

Chairman Gooch read a resolution to create the Lumpkin County Development Impact Fee Advisory Committee. The initial members of the Committee are:

- | | |
|--------------------------------------|--|
| 1. Commissioner John Raber, Chairman | 6. Tim Schick, Planning Director |
| 2. Wayne Grindle | 7. Commissioner Clarence Stowers |
| 3. Bill Martin | 8. Charles Trammell, Public Works |
| 4. Greg Hayes | 9. Allison Martin, Finance Director |
| 5. Keith Anderson | 10. Dudley Owens, Water & Sewerage Authority |

John Raber made a motion to approve this resolution with the amendment of replacing Allison Martin, Finance Director with Development Authority of Lumpkin County Board Member Pete Buchette. This motion was seconded by Deborah Hutcheson and approved by all district commissioners present.

CONTRACTS

ACCG 457 Deferred Compensation Plan for Employees - Amendment

To amend Lumpkin County's 457 Deferred Compensation Plan reflecting the most recent changes in the regulations as required by the IRS.

Association County Commissioners of Georgia-Interlocal Risk Management Agency (ACCG-IRMA)

Property and Liability Insurance Coverage

Term: 10/01/2005 to 10/01/2006

Amount: \$205,685.00

Challenger Sports - 2006 British Soccer Camp Agreement

British Soccer will conduct and maintain an instructional soccer camp in accordance with the following: Coaches will hold the minimum of Football Association Coaching License/Challenger/British Soccer Coaching certification. There will be at least one qualified coach for each coaching group (12-15) of campers. Each camp shall include five daily sessions Monday through Friday or other as specified. Session shall run for one hour, one and a half hours, two hours, three hours and six hours.

Council of Juvenile Court Judges of Georgia

Purchase of Services for Juvenile Offenders Program

Grant Period: 10/01/2005 to 9/30/2006

Amount: \$9,000.00

Secretary of State of the State of Georgia

The First Amendment to the Intergovernmental Agreement includes a new Encoder Device known as the ExpressPoll for use at each precinct within Lumpkin County. The ExpressPoll will allow each polling place to search a voter's status electronically at the polling place on Election Day and program a voter access card in a matter of seconds.

Georgia Environmental Facilities Authority

Grant Extension Recycling & Waste Reduction Grant 2002-RWR-22

Clarence Stowers made a motion to approve the contracts presented. This motion was seconded by John Raber and approved by Commissioners Martin, Raber and Stowers. Commissioner Hutcheson was absent at the time of the vote.

OTHER ITEMS

Lumpkin County Hospital Authority

Chairman Gooch presented to the Board of Commissioners a list of indigent health care cases as approved by the Lumpkin County Hospital Authority Board.

Clarence Stowers made a motion to approve the payment the indigent health care cases as presented. This motion was seconded by Deborah Hutcheson and approved by all district commissioners present.

Meeting time, date and location for 2006 BOC Meetings and Work Sessions

A copy of the schedule has been made a part of these minutes.

John Raber made a motion to approve the meeting times, dates and location as presented. This motion was seconded by Deborah Hutcheson and approved by Commissioners Raber, Hutcheson and Stowers. Commissioner Martin voted against. The motion carried.

Chain of Command

The Board of Commissioners requested that County Manager Stan Kelley prepare a list regarding the chain of command.

Power to Make Decisions

Chairman Gooch stated that he represents the county and the wishes of the Board of Commissioners.

COMMENTS

COUNTY MANAGER'S COMMENTS

County Manager Stan Kelley said he was working up numbers to answer the request made by the Grand Jury recommendation to give part-time employees the same benefits as full time employees. Mr. Kelley stated that he is also meeting with the Finance Director and Department Heads to look at policies on theft and financial controls. Mr. Kelley said that an additional life insurance option has been offered to employees. Mr. Kelley reported that the Personnel Policy has been prepared and presented to County Attorney Horne for his review and he hopes to present the revised Personnel Policy at the December 1st work session.

CHAIRMAN'S COMMENTS

Chairman Gooch stated that the request for annexation by the City of Dawsonville has been withdrawn. The Chairman said he had met with the property owners making the request for annexation and feels this request may surface again.

Dawson County has requested that Lumpkin County consider participating in a joint Dawson-Lumpkin Airport Study Committee to consider a Regional Airport in the Dawson-Lumpkin area.

Deborah Hutches made a motion to join Dawson County in a joint Dawson-Lumpkin Airport Study Committee, with Chairman Gooch, Jon Whidby, Deborah Hutcheson and a representative from the Development Authority of Lumpkin County serving on the newly formed Dawson-Lumpkin Airport Study Committee. This motion was seconded by John Raber and approved by all district commissioners present.

Chairman Gooch stated the EIP Grant has been making progress and moving forward.

COMMISSIONERS COMMENTS

No comments.

COUNTY ATTORNEY COMMENTS

No comments.

PUBLIC COMMENTS

Citizen Gary Keith asked for an explanation regarding the water & sewer millage rate on his property tax bill. Chairman Gooch explained the history of the reservoir and how all the costs have escalated. He also explained due to the change in Governors the State no longer wanted to buy the reservoir, or if they bought the reservoir the State would turnaround and sell it. The City and County made the decision to keep the reservoir. Mr. Keith also wanted to know how long the tax would be charged to citizens. Chairman Gooch responded that the tax would be there for thirty-eight years with the first two years interest only. Citizen Gerald Lewy commented that city residents are paying more than county residents for the cost of the reservoir. Mr. Keith also asked for an explanation as to how the millage rate was established. Mr. Keith then asked that his request to be on the next Work Session Agenda be removed. Mr. Keith thanked the board for their time and clarification of his questions.

ADJOURN

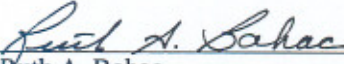
Chairman Gooch asked for a motion to adjourn at 9:00 p.m. Marvin Martin made a motion to adjourn. The motion was seconded by John Raber and approved by all district commissioners present.

1/30/2006
Date



Stephen W. Gooch, Chairman
Lumpkin County Board of Commissioners

Attest:



Ruth A. Bohac
Clerk, Lumpkin County